

Remarks

This application has been carefully reviewed in light of the final Office Action dated May 5, 2008. Claims 1 to 20 remain in the application, with Claim 20 having been withdrawn from consideration. Claims 1 and 11 are the independent claims currently under consideration and have both been amended. Support for these amendments can be located throughout the application as originally filed, including, for example, in Figure 1 and in paragraphs [0035]. Reconsideration and further examination are respectfully requested.

Claims 1 to 19 were rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the written description requirement. The amendments to Claims 1 and 11 are seen to obviate this rejection. Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1, 5 to 11 and 15 to 19 were rejected under 35 U.S.C. §102(b) by U.S. Patent No. 5,747,348, (Jaduszliwer). Reconsideration and withdrawal are respectfully requested.

Applicants thank the Examiner for the courtesies extended to Applicants' representative in the telephonic interview conducted on June 26, 2008, in which the foregoing claim rejection and claim amendments were discussed. As discussed in the interview, the applied references are not seen to disclose or suggest, whether taken alone or in combination, an optical reader configured to monitor a color of a colorimetric chemical monitor based on an intensity of reflected light from the colorimetric chemical monitor, the reflected light corresponding to two light paths, as recited in independent Claim 1. Further, the applied references are not seen to disclose or suggest monitoring an intensity of reflected light from a colorimetric chemical monitor with an optical reader, the reflected light corresponding to two light paths, as recited in independent Claim 11 as amended.

In view of the foregoing amendment and remarks, all of the claims under consideration are believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Claims 2 to 4 and 12 to 14 have been indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for the indicated allowable subject matter. Applicants have not rewritten these claims in independent form at this time, as all claims in the application are believed to be in condition for allowance, as discussed above.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502203 and please credit any excess fees to such deposit account.

Applicants' undersigned attorney may be reached in our Orange County office by telephone at (949) 851-0633. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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